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BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

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SACRAMENTO
BOARD OF MEDICAL
QUALITY ASSURANCE

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In the Matter of the Petition for)
Termination of Probation of:)

DAVID GEORGE DIXON, M.D.,)

Petitioner.)

L-25832

DECISION

This matter came on regularly for hearing before a panel of District #14 Medical Quality Review Committee at San Diego, California, on January 21, 1982, at the hour of 9:00 a.m., John A. Willd, Administrative Law Judge of the Office of Administrative Hearings presiding. The panel members present were Richard M. Sullivan, M.D., acting chairperson; Marguerite Schwarzman, Leonard Goldberg, D.C., Richard Butcher, M.D. and Stanley Pappelbaum, M.D. Alvin J. Korobkin, Deputy Attorney General, represented the Attorney General. Respondent, David George Dixon, M.D., appeared in person without counsel. Documentary and oral evidence was received. The matter was argued and submitted. The members of the panel did consider this petition in executive session and the Administrative Law Judge was present during the consideration of this case. The panel makes the following findings of fact:

I

In proceeding No. D-2072, effective December 21, 1978, the certificate issued to the petitioner authorizing him to practice as a physician and surgeon in California was revoked. The revocation was stayed and respondent was placed on probation to the Board of Medical Quality Assurance for a period of five years upon certain terms and conditions. The revocation was imposed because respondent had been convicted by a jury on four counts of attempting to violate Penal Code Section 496 (receiving and concealing stolen property). As a result of this conviction, respondent was ultimately required to pay a fine in the amount of \$5,500 plus a penalty assessment of \$1,375. In addition, it was found that respondent did, on one occasion, prescribe 30 Eskatrol capsules to a patient without any medical indication therefore and without conducting a prior good faith physical examination.

II

Respondent submitted his petition for termination of probation on October 3, 1981, and the petition was received by the Division on October 7, 1981.

III

Respondent has successfully completed his probation to the court. Pursuant to the provisions of Penal Code Section 1203.4, the court set aside respondent's conviction, a plea of not guilty was entered on his behalf, and the matter was then dismissed. Respondent has also been in full compliance with his probation to the Board of Medical Quality Assurance.

IV

It is respondent's opinion that his criminal conviction as well as the proceeding which placed his medical license on probation has made a very positive impression upon respondent. Respondent states that at one time he was a strong political activist and he did have a somewhat "holier than thou" attitude. Respondent's experience has caused him to re-evaluate his opinion of others, as well as himself. While respondent did not enjoy his probation either by the court or by the Board, respondent is of the opinion that the conditions imposed did ultimately work to his benefit and gave him a somewhat more conservative view of his responsibilities as a physician and as a human. Respondent does point out that his medical privileges were never limited by the probationary order and the courses he has been required to complete have been of substantial benefit to him. Respondent continues to conduct a successful family practice in Corona where he conducts a solo practice under the Dixon Medical Corporation. Respondent is associated with the Corona Community Hospital Clinic and he has also accepted employment with the California Rehabilitation Center at Norco, California. This employment was offered respondent after the state made a careful investigation of respondent's background including his criminal conviction.

V

At this time respondent expresses every confidence that his medical license will never again be subject to disciplinary action. He is particularly hopeful of terminating his probation at this point because respondent is presently a defendant in a malpractice action which relates to the delivery a double footling breach at Corona Community Hospital. Respondent's counsel, in this proceeding, is hopeful that the termination of the probation at this point will in some modest way reduce the impact to the jury with respect to respondent's disciplinary proceeding.

* * * * *

Pursuant to the foregoing findings of fact, the panel makes the following determination of issues:

The petitioner has established that he has made sufficient progress in his rehabilitation so that it would not now be adverse to the public interest to terminate respondent's probation.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The petition of David George Dixon, M.D. for the termination of his probation is granted and the probationary order imposed in proceeding No. 2072 is hereby modified by terminating the probation of David George Dixon, M.D., upon the effective date of this Order.

This Decision shall become effective on March 4, 1982.

SO ORDERED March 4, 1982.

PANEL OF DISTRICT 14,
MEDICAL QUALITY REVIEW COMMITTEE
DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By: Richard M. Sullivan, M.D.
RICHARD M. SULLIVAN, M.D.
Acting Chairperson

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